UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Gibson Trucking, Inc.,

Plaintiff,

v.

Allied Waste Industries, being sued as Allied Waste Industries, Inc., and Browning-Ferris Industries, Inc., being sued as Browning-Ferris Industries of Springfield, Inc., a Delaware corporation,

Defendants.

Civil No. 01-710 (DWF/AJB)

DISQUALIFICATION AND ORDER FOR REASSIGNMENT

Jack Y. Perry, Esq., and Julie H. Firestone, Esq., Briggs & Morgan, 2400 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402 and Scott G. Knudson, Esq., Briggs & Morgan, W2200 First National Bank Building, 322 Minnesota Street, St. Paul, MN 55101, counsel for Plaintiff.

William M. Hennessey, Esq., Hoversten, Johnson, Beckmann & Hovey, 807 W. Oakland Avenue, Austin, MN 55912; and Robert A. Judd, Esq., Wagner, Falconer & Judd, 80 South Eighth Street, Suite 3500, Minneapolis, MN 55402, counsel for Defendants.

The above-captioned matter has been assigned to the undersigned, a Judge of the above Court. Plaintiff's counsel, Julie H. Firestone, from the law firm of Briggs & Morgan, served more than two years as this Court's law clerk and only left this position in August of 2000. Pursuant to Title 28, United States Code § 455 (*see also United States v. Hollister*, 746 F.2d 420 (8th Cir. 1984)), the undersigned recuses himself from hearing this matter. Accordingly,

IT IS HEREBY ORDERED, that pursuant to this Court's Assignment of Cases Order dated April 2, 2001, the above-captioned action shall be resubmitted to the Clerk of Court for reassignment.

IT IS FURTHER ORDERED, that a copy of this Order shall be filed in the above-captioned case.

Dated: May 2, 2001

DONOVAN W. FRANK
Judge of United States District Court

FILED MAY 0 2 2001
FRANCIS E. DOSAL CLERK
JUDGMENT ENTD ______
DEPUTY CLERK ______